

Express Mail Label No.

Page 1 of

Docket No.
17952.001

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

INSULATED JACKET FOR A BEVERAGE CONTAINER AND BLANK AND METHOD FOR FABRICATING SAME

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International Application Number _____ and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

00563427-109599

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/077,846</u>	<u>13 March 1998</u>
(Application Serial No.)	(Filing Date)
<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)
<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

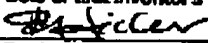
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Dalbert U. Shefte	18,174
Francis M. Pinckney	21,138
Karl S. Sawyer, Jr.	28,902
Chad D. Tillman	38,634
Nancy Talavera Wood	38,334
Michael A. Tobin	P43,956
Jack D. Todd	P44,375

Send Correspondence to: Karl S. Sawyer, Jr.
 Keady Covington Lobdell & Hickman, L.L.P.
 100 North Tryon Street, Suite 4200
 Charlotte, NC 28202

Direct Telephone Calls to: *(name and telephone number)*
 Karl S. Sawyer, Jr., 704-331-5792

Full name of sole or first inventor Michael E. Hicks	
Sole or first inventor's signature 	Date 3/3/99
Residence Texas	
Citizenship USA	
Post Office Address 700 Hickory Tree Road	
Mesquite, TX 75149, USA	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

FROM :

1999.03-23

17:14

#681 P.10/10

ASSIGNMENT

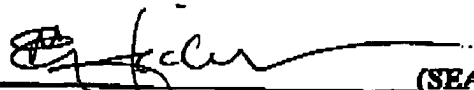
WHEREAS, I, Michael E. Hicks, of 700 Hickory Tree Road, Mesquite, Texas 75149, have invented certain improvements in INSULATED JACKET FOR A BEVERAGE CONTAINER AND BLANK AND METHOD FOR FABRICATING SAME for which I have executed an application for United States Letters Patent as dated below; and whereas, Numo Manufacturing Acquisition Corporation, a corporation of the State of Texas, having a principal place of business at 700 Hickory Tree Road, Mesquite, Texas 75149, desires to purchase the same;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations paid by the said , the receipt and sufficiency of which are hereby acknowledged, I have agreed to and by these presents to hereby sell, assign, transfer and convey unto the said , its successors and assigns in and for the United States and its territories and for foreign countries, the entire right, title and interest in and to said application, in and to the invention therein set forth and in and to any patent which may issue on said application, or any reissue, renewal, division, or continuation of said patent or application; and I hereby bind myself, my heirs, legal representatives, administrators and assigns properly to execute without further consideration, any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary to carry into full force and effect the sale, assignment, transfer and conveyance hereby made or intended to be made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3 day of

March, 1999.

3/3/99
Date


Michael E. Hicks (SEAL)

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (e)) - SMALL BUSINESS CONCERN			Docket No. 17958.001
Serial No. To Be Assigned	Filing Date Concurrently Herewith	Patent No.	Issue Date
Applicant/ Patentee: Michael Hicks			
Invention: INSULATED JACKET FOR A BEVERAGE CONTAINER AND BLANK AND METHOD FOR FOR FABRICATING SAME			
<p>I hereby declare that I am:</p> <p><input type="checkbox"/> the owner of the small business concern identified below:</p> <p><input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:</p> <p>NAME OF CONCERN: Name Manufacturing Acquisition Corporation</p> <p>ADDRESS OF CONCERN: 700 Hickory Tree Road, Mesquite, TX 75149</p> <p>I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:</p> <p><input checked="" type="checkbox"/> the specification filed herewith with title as listed above.</p> <p><input type="checkbox"/> the application identified above.</p> <p><input type="checkbox"/> the patent identified above.</p> <p>If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p>			

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

FULL NAME
ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

FULL NAME
ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

FULL NAME
ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

FULL NAME
ADDRESS

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Michael E. Hicks

TITLE OF PERSON SIGNING

OTHER THAN OWNER:

Vice President, Nuno Manufacturing Acquisition Corporation

ADDRESS OF PERSON SIGNING:

700 Hickory Tree Road, Mesquite, TX 75149

SIGNATURE:



DATE:

3/4/99